

10-2018

Priming the Pump: How Pipeline Programs Seek to Enhance Legal Education Diversity

AccessLex Institute

Follow this and additional works at: <https://arc.accesslex.org/research>



Part of the [Legal Education Commons](#)

Recommended Citation

AccessLex Institute, "Priming the Pump: How Pipeline Programs Seek to Enhance Legal Education Diversity" (2018). AccessLex-Funded Research. 22.

This Journal Article is brought to you for free and open access by the AccessLex-Funded Research at AccessLex Resource Collections. It has been accepted for inclusion in AccessLex Institute Research by an authorized administrator of AccessLex Resource Collections. For more information, please contact ARC@accesslex.org.

Priming the Pump:

How Pipeline Programs Seek to Enhance Legal Education Diversity

OCTOBER 2018





EMPOWERING THE NEXT GENERATION OF LAWYERS®

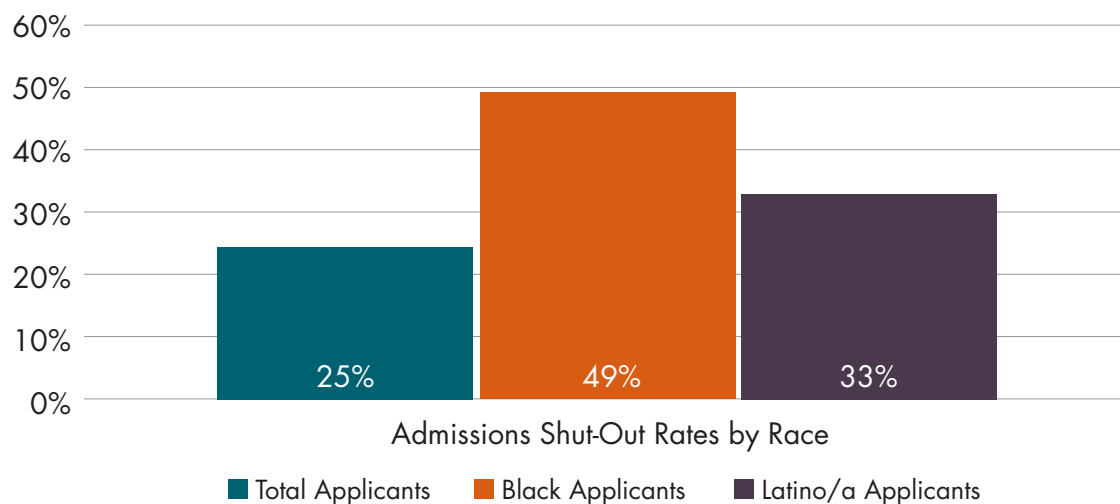
AccessLex Institute®, in partnership with its nearly 200 nonprofit and state-affiliated American Bar Association-approved Member law schools, has been committed to improving access to legal education and to maximizing the affordability and value of a law degree since 1983. The AccessLex Center for Legal Education Excellence® advocates for policies that make legal education work better for students and society alike, and conducts research on the most critical issues facing legal education today. The AccessLex Center for Education and Financial Capability® offers on-campus and online financial education programming and resources to help students confidently manage their finances on their way to achieving personal and professional success. AccessLex Institute is a nonprofit organization with offices in West Chester, PA and Washington, D.C., and with accredited financial counselors throughout the U.S.

01

Introduction

From its origins, access to legal education has historically been unequal, and the trends that persist are stark. During the 2016-17 admission cycle, 75 percent of law school applicants were admitted to a law school. However, only 51 percent of black students were admitted – only two-thirds of the overall admission rate. And for Latino/a applicants, 67 percent received an offer of admission.

Figure 1: 2016-2017 Admission Shut Out Rates by Race



Admission trends manifest in the demographics of law school classes and the profession. In 2017, eight percent of first-year law students were black; 13 percent were Latino/a.¹ This collective 21 percent was far below their 32 percent proportion of the nation's population.² And these numbers in legal education directly impact the demographics of the legal profession. Black lawyers and Latino/a lawyers each comprise only about five percent³ of the more than 1.3 million lawyers in the U.S.⁴

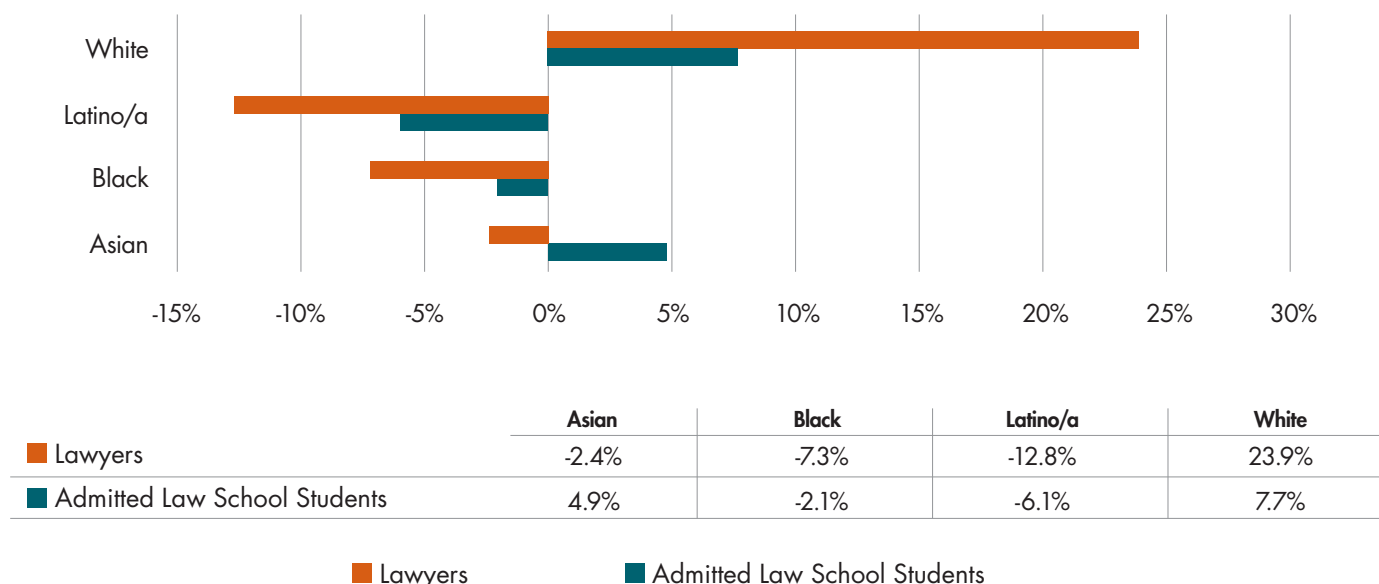
1 Out of 40,933 1Ls, 3,535 were black, 5,434 were Latino/a. Does not include three law schools in Puerto Rico. American Bar Association (2017). 1L Enrollment by Gender & Race/Ethnicity (Aggregate). Retrieved from https://www.americanbar.org/groups/legal_education/resources/statistics/

2 United States Census Bureau, *Quick Facts*, Retrieved from <https://www.census.gov/quickfacts/fact/table/US/PST045217>

3 ABA National Lawyer Population Survey, *10-Year Trend in Lawyer Demographics*, Retrieved from https://www.americanbar.org/content/dam/aba/administrative/market_research/national-lawyer-population-10-year-demographics-revised.authcheckdam.pdf

4 Id.

Figure 2: Lawyers and Law Students Proportionate Comparison to Overall Population



The socioeconomic backgrounds of law students and lawyers are not systematically tracked, but a recent survey estimated that 28 percent of law students were first-generation college graduates (a common proxy for socioeconomic disadvantage).⁵ Considering that two-thirds of adult Americans do not possess a college degree,⁶ these numbers strongly suggest that law students and, by extension, lawyers come from a shallow pool and that intractable barriers to entry persist.

In order to diversify legal education and the legal profession, legal education stakeholders must consider the impact of their recruitment and admission practices on enrollment trends. It is also important that we create and support effective means of aiding prospective students from underrepresented backgrounds through the legal education pipeline, from pre-application to the profession.

AccessLex Institute has developed this research brief to provide an overview of legal education pipeline programs in the U.S. – the channel by which we, as stakeholders in legal education, can improve access to law school. The prevalence of these programs and their components are discussed in detail. The brief also takes preliminary steps towards assessing their impact and effectiveness. The immediate goal is to provide useful information to aspiring students, their advisors, and others concerned about legal education diversity. The ultimate goals for future research are to identify components shared by the most effective and impactful pipeline programs, and to encourage other programs to adopt those best practices.

5 Law School Survey of Student Engagement, Law School Scholarship Policies: Engines of Inequality, Annual Report, Retrieved from <http://lsse.indiana.edu/annual-results/>

6 United States Census Bureau, *Quick Facts*, Retrieved from <https://www.census.gov/quickfacts/fact/table/US/PST045217>

02

What is a Pipeline Program?

The term “pipeline” has been commonly used to identify programs premised on encouraging diversity in legal education by engaging prospective law students from underrepresented backgrounds. The scopes and aims of these programs are vast, ranging from hours-long efforts to expose participants to discrete aspects of legal education or the profession to weeks of intensive programming in which participants take part in a range of activities, including taking truncated versions of law school courses. For this brief we identified 274 pipeline programs nationwide, ranging in purpose, scope, and duration.⁷

With a new strategic focus on helping ensure that law school graduating cohorts reflect the racial and ethnic diversity of the country by 2025, AccessLex Institute is committed to identifying impactful practices for increasing diversity. And given the ambitiousness of our goal, our focus is on practices that yield results rather quickly. As part of these efforts, AccessLex defines pipeline programs in the following manner:

A pipeline program provides college students and/or college graduates from historically underrepresented groups with information and resources premised on aiding their successful matriculation into law school and the legal profession. The best programs are collaborative and provide meaningful and holistic content, experiences and support, and are designed to yield measurable outcomes and scalable best practices.⁸

This is not the only conception of pipeline programs, but it presents a model for programming that is effective and efficient, and in line with our organization’s diversity objectives.

⁷ Alisa Cunningham, and Patricia Steele. *Diversity Pipeline Programs in Legal Education: Context, Research, and a Path Forward*. (2015). Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2618777##; American Bar Association National Pipeline Diversity Initiatives Directory. Retrieved from https://www.americanbar.org/groups/diversity/diversity_pipeline/resources/pipeline_diversity_directory.html; Fourteen additional programs not listed by either of the above sources were identified by AccessLex Institute staff.

⁸ AccessLex Institute’s definition of a diversity pipeline program. Retrieved from <https://www.accesslex.org/legal-education-diversity-pipeline-grant-program>

03 Methodology

Research for this brief was undertaken in two steps: 1) identifying pipeline programs fitting the definition stated previously; and 2) identifying and coding the characteristics of each program. In undertaking the first step, we revisited a report commissioned by AccessLex Institute in 2015, which listed 261 pipeline programs nationwide.⁹ We then reviewed the National Pipeline Diversity Initiatives Directory compiled by the American Bar Association (ABA),¹⁰ which provided information for 232 programs. We also identified 14 programs that were not listed by either of the above sources. After accounting for overlap, we identified a total of 274 programs.

We reviewed each identified program to assess whether it met the AccessLex Institute definition of a pipeline program; those that did not were excluded from our analysis. For example, if a program served high school students only, it was excluded (though we consider this type of early engagement to be valuable). In the end, we identified 43 programs (about 16 percent of all programs) that fit our definition.

Representatives for the 43 programs were sent an online survey requesting detailed information about program elements and the demographic make-up of participants. Programs were surveyed from November 2017 until March 2018. Responses were received from 27 of the 43 programs. A rubric for coding program components was developed. Components (e.g., LSAT preparation, mentoring) were scored from 1 to 5, with '1' representing that a particular component was non-existent or very limited and '5' representing that a particular component was integral to the program.

It is important to state that this analysis was not intended to be an assessment of the quality of components or programs overall. At this stage, we were seeking only to identify characteristics. There was, however, an inherent qualitative component to this exercise. The lack of certain seemingly important components, such as LSAT preparation, might signal a less effective program. At the conclusion of the identification and coding process, the rubrics were analyzed, and programs were given overall scores.

9 Alisa Cunningham, and Patricia Steele. *Diversity Pipeline Programs in Legal Education: Context, Research, and a Path Forward*. (2015). Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2618777##

10 American Bar Association National Pipeline Diversity Initiatives Directory. Retrieved from https://www.americanbar.org/groups/diversity/diversity_pipeline/resources/pipeline_diversity_directory.html

04

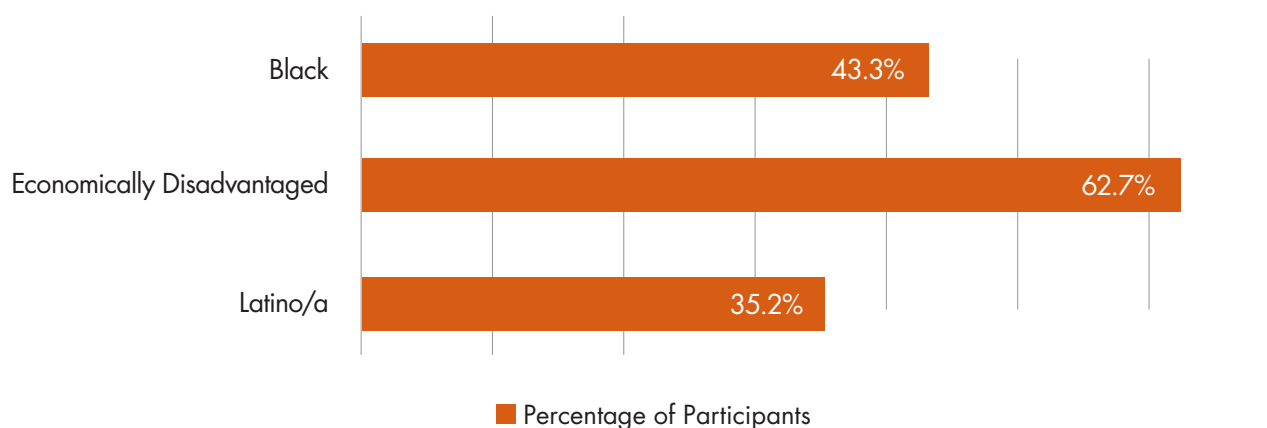
Findings

Most Pipeline Program Participants are Economically Disadvantaged.

Of the programs surveyed, most participants were students of color and students who identified as economically disadvantaged. However, there was wide variation in program demographics. There were programs in which as few as 15 percent of participants identified as black, Latino/a, or economically disadvantaged. At the other end, there were programs in which 100 percent of participants were members of one or more of the three groups. Across the 27 programs who responded to the survey, black students were a median of 43 percent of participants; Latinos were a median of 35 percent of participants. A median of 63 percent of participants identified as economically disadvantaged.

Eighteen of the 27 programs served college students at various levels of their matriculation. Rising college juniors seemed to be the most common pipeline program participant, with 19 programs (70%) serving these students. Four programs served college graduates.

FIGURE 3: Median Demographics of Surveyed Pipeline Program Participants

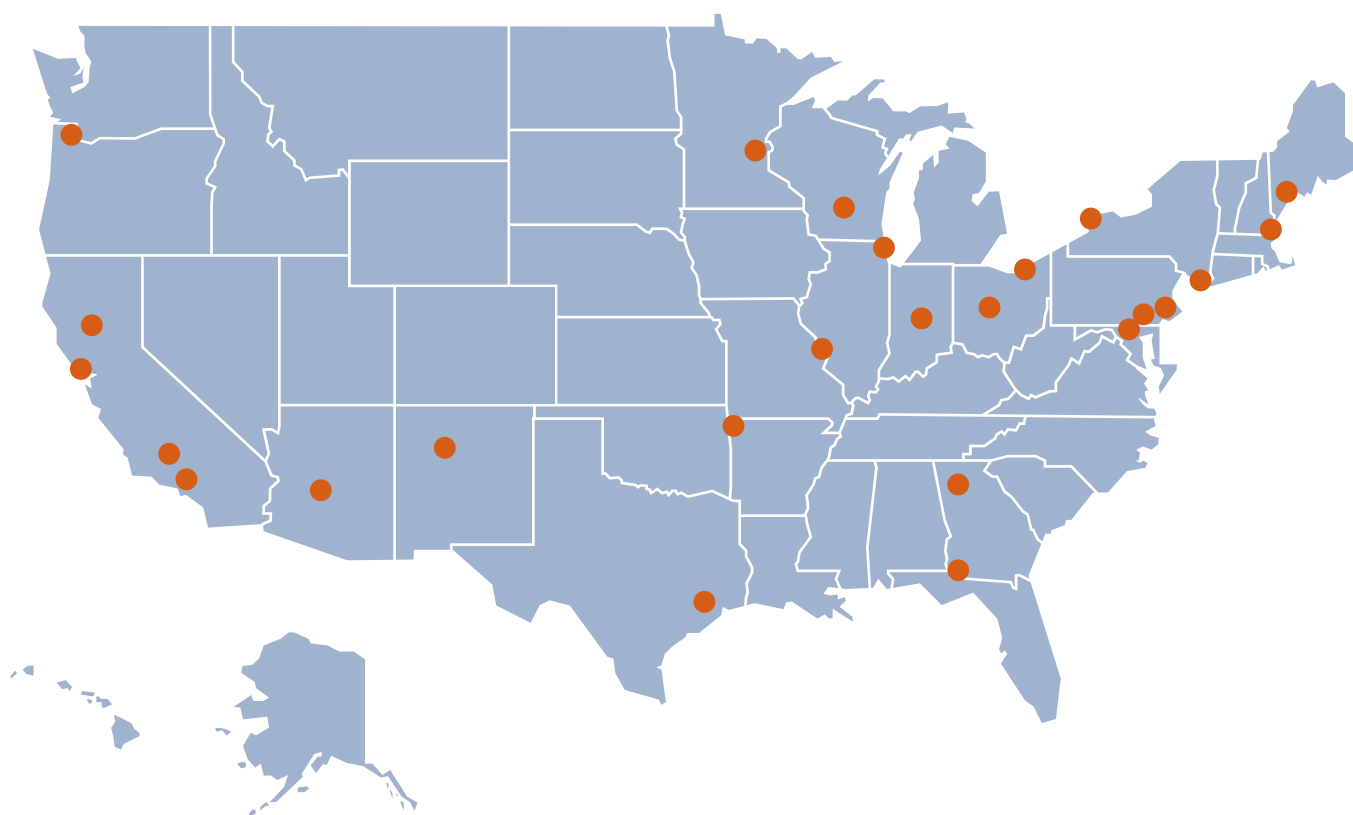


Pipeline Programs are Dispersed Across the Country, but are Centered in Areas of Large Populations.

Among the 43 programs that were identified as meeting the AccessLex Institute definition, 11 were located in each of the Midwest and Pacific regions of the U.S.; nine were located in the Northeast and Southeast; and three in the Southwest. Programs tended to be centered in areas of large populations. For example, seven of the nine Northeast programs were located in metropolitan New York City; six of the 11 Pacific programs were located in southern California. Other gaps in geographic spread were rather noticeable. No programs were located in the Mountain West. Only one program fitting the definition was located in Texas – a state with a large population of people of color and ten law schools.

These trends suggest that more geographic spread among pipeline programs is needed. Some programs recruit students irrespective of location, but there seems to be intuitive value to programming that is close to a participant's home. Areas with large numbers of people of color and people experiencing economic disadvantage should have a robust number of programs, especially when there are law schools nearby.

FIGURE 4: Map of Diversity Pipeline Program Locations



Mentoring and Coursework are the Most Common Elements of Pipeline Programs.

Almost all of the 27 pipeline programs try to match participants with mentors. Black and Latino/a students tend to rely more heavily on mentors than other students; therefore, it is encouraging that mentoring is such a common component among the programs analyzed.¹¹ Seventeen programs (63 percent) reported training their mentors. This trend could be a component upon which qualitative distinctions could be made. We often view mentor/mentee relationships as inherently impactful. But research tells us that there are certain requisites to an effective mentor/mentee relationship. For instance, mentors who set clear expectations around goals for the relationship and for their mentee tend to be more effective than those who do not.¹² Pipeline programs should adopt a structured approach to mentorship with training, measurable outcomes and assessment.

Almost every pipeline program responded that participants were exposed to truncated versions of law school courses or skills courses. Seventeen programs (63 percent of survey respondents) indicated that they offer substantive courses in subjects such as Contracts and Criminal Law. Programs also offered coursework aimed at enhancing critical thinking and analytical writing skills. More research is needed on the impact of these experiences.



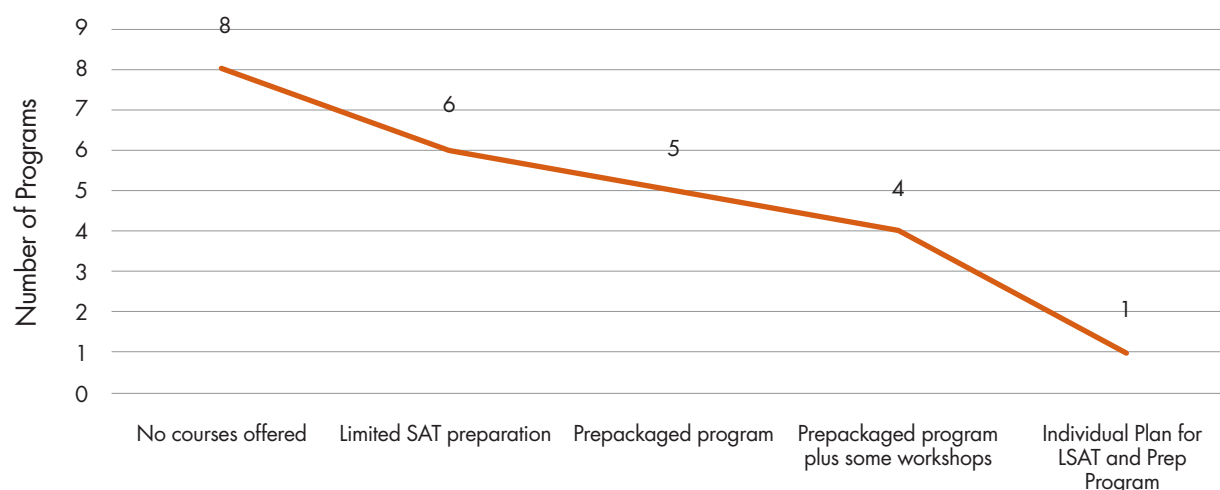
11 Strada Education Network & Gallup, Major Influence: Where students get valued advice on what to study in college, https://www.insidehighered.com/sites/default/server_files/files/Gallup-Strada_Education_Network-Major-Influence%20EMBARGOED.PDF

12 Sharon E. Straus et al. "Characteristics of Successful and Failed Mentoring Relationships: A Qualitative Study Across Two Academic Health Centers." *Academic medicine: journal of the Association of American Medical Colleges*. 88.1 (2013): 82–89. PMC. Web. 27 July 2018.

LSAT Support is Limited.

Currently, the LSAT is integral to the law school admission process. Law school applicants with higher LSAT scores tend to gain admission in higher proportions than those with lower scores, even after controlling for Undergraduate Grade Point Average (UGPA).¹³ Therefore, we were surprised to find that some pipeline programs were not offering LSAT preparation as a program component. Eighteen of the 27 programs surveyed (67 percent) reported offering LSAT preparation. The length and quality of those offerings varied greatly. Only five programs (23 percent) offered holistic preparation, including a course and individualized support. The outsized role of the LSAT in the admission process seems to make substantive LSAT preparation an essential component to aiding the progression of college students and graduates into legal education. The cost of LSAT preparation is a likely impediment to the full adoption of this form of support.

FIGURE 5: LSAT Course Scores for Surveyed Programs



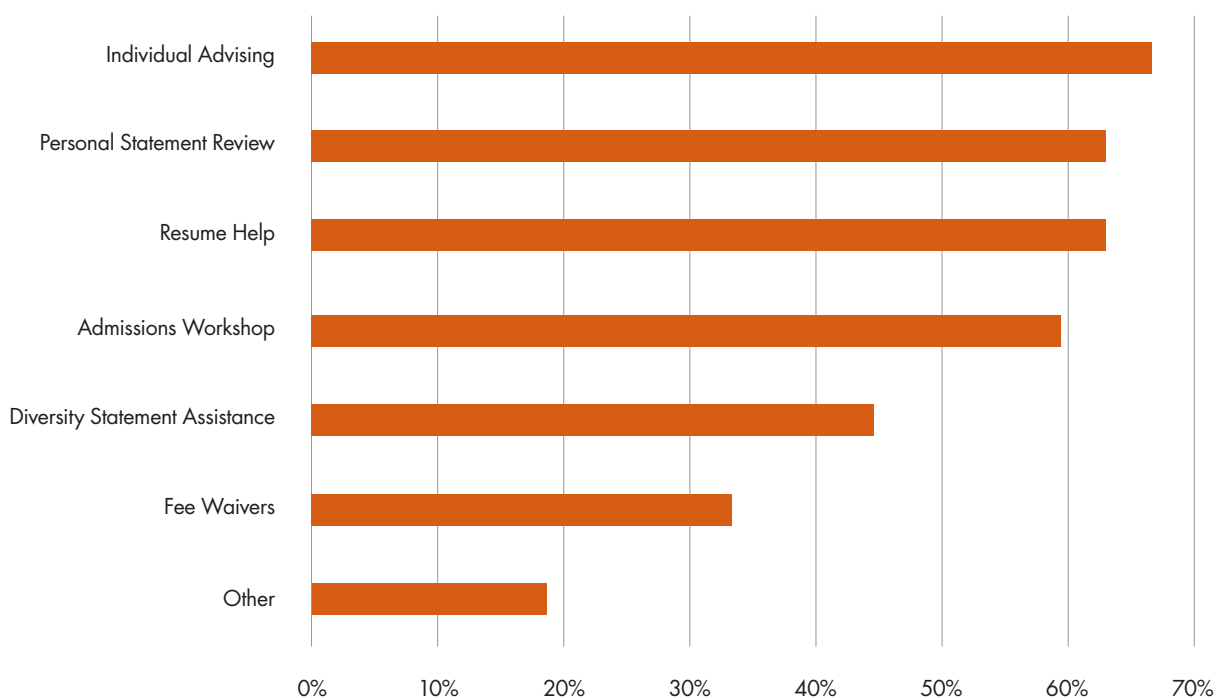
13 Law School Admission Council (2015). U.S. National Decision Profile. Retrieved from <https://www.lsac.org/data-research/data>

Law School Admissions Support is Inconsistent.

Twenty-one of the 27 programs (78 percent) indicated that they offer assistance with the law school admission process. This support varies in type and extent. The most common forms of assistance are individual advising (18 programs), personal statement review (17 programs), and resume help (17 programs). Twelve programs (44 percent) offer participants help with diversity statements. Nine programs (33 percent) assist participants in seeking application fee waivers. Eighteen programs (67 percent) indicated that they offer at least three types of support.

Surprisingly, there were programs that offered no assistance with the admission process, even though the population served could benefit greatly from this type of exposure. For example, underrepresented students are more likely to apply later in the admission process, a trend that places them at a disadvantage for both admission and scholarships.¹⁴ Pipeline programs can help reduce the types of information gaps that disadvantage underrepresented applicants.

FIGURE 6: Percent of Programs Offering Admission Support by Type

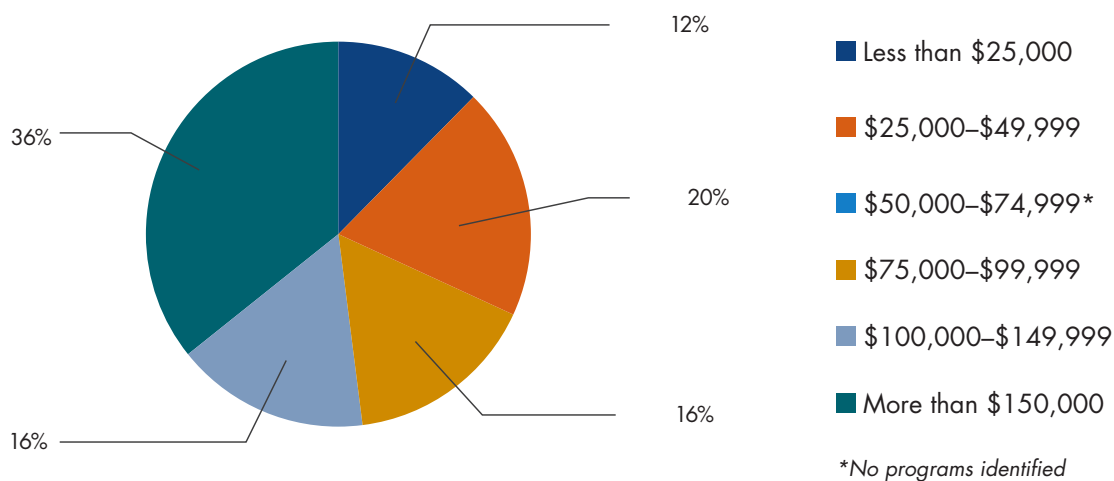


¹⁴ Law School Admission Council (2018). Current Volume Summaries by Region, Race/Ethnicity, Sex & LSAT Score. Retrieved from <https://www.lsac.org/data-research/data/current-volume-summaries-region-raceethnicity-sex-lsat-score>

Pipeline Programs are Expensive.

Operating a successful pipeline program is a complex undertaking. One of the primary issues that faces program directors is a lack of consistent funding. Seventy-five percent of programs surveyed reported problems with securing funding for the following year. The majority of programs surveyed cost more than \$150,000 per year to run. And the more comprehensive and individualized the program, the more expensive it is to operate.

FIGURE 7: Self-Reported Cost of Program Operation



Cost pressures play out within the broader context of a dearth of information regarding best pipeline program practices. Which program components have the potential to be most impactful? This question is important from both effectiveness and efficiency perspectives. How do program directors get the most impact out of limited resources?

05

Summary of Findings

The central purpose of pipeline programs is to increase diversity in legal education and, eventually, the profession. Programs take different approaches to accomplishing this goal, with efforts varying in scope, substance and length. While we identified 274 programs that could be considered pipeline programs, we only identified 43 that fit our narrower definition. These programs collectively serve more than 1,000 students each year, mostly coming from underrepresented racial, ethnic and socioeconomic backgrounds.

The programs were based in almost every region of the country, but they tended to be located in areas of high population. There is a dearth of programs in the Mountain West and Southwest regions of the country, a noteworthy trend given the large number of Native Americans, Latinos/as and economically disadvantaged people in those areas. While some pipeline programs serve students from different areas of the country, there is value to programs being located where students are. Implementing effective programs in currently underserved areas could positively impact student body diversity in legal education.

Program components varied, with almost every program offering opportunities for participants to receive mentors and to take law school or skills courses. Knowledge of the impact of these efforts, however, is limited and presents a compelling area of needed research.

The centrality of the LSAT in the admission process made the absence of LSAT exposure and preparation in some programs somewhat surprising. Eight of the 27 programs offered no LSAT preparation. Among programs that offered LSAT prep, the type and extent varied widely. Five of the 27 programs offered robust preparation that included a course and other services, like individual tutoring. A recent study conducted by Law School Admission Council (LSAC) of its Pre-law Undergraduate Scholars (PLUS) Program showed that program participants were more likely to be admitted to law school and were admitted to a higher average number of law schools than non-PLUS applicants with comparable LSAT scores.¹⁵ This trend suggests that participation in PLUS may help reduce the overemphasis on the LSAT in the admission process. Learning more about which program components contribute to this trend would provide helpful insight for other programs.

All 43 programs can be found in the [AccessLex Diversity Pipeline Program Directory](#).

¹⁵ Kim Dustman, & Ann Gallagher, *Measurable Success of PLUS Program Participants*, Law School Admissions Council, Retrieved from [https://www.lsac.org/docs/default-source/grants-\(lsac-resources\)-docs/plus-measurable-success.pdf](https://www.lsac.org/docs/default-source/grants-(lsac-resources)-docs/plus-measurable-success.pdf)

06

Conclusion

Legal education should be accessible to all students, and effective pipeline programs impart necessary and meaningful information for participants. Given the declining acceptance rates for students of color, pipeline programs are vitally important. The majority of program participants are underrepresented students, most of whom are black and/or economically disadvantaged. However, these programs tend to be clustered in major metropolitan areas, limiting their reach. Pipeline programs need to serve more of their intended audience by expanding to more locations.

This report analyzes the characteristics of holistic diversity pipeline programs and examines how these programs can effectively change the composition of law school classes to reflect the diversity of society. Mentoring and coursework are present in almost all pipeline programs. However, programs could be doing more for their participants. There is limited impact evaluation of the mentoring and coursework. The emphasis on LSAT preparation is varied for pipeline programs. Low LSAT scores are often the biggest hurdle to admission for underrepresented minorities, with almost 75 percent of black applicants in 2017 scoring below a 149.¹⁶ Students need more opportunities to focus on LSAT preparation to increase their chances of admission and for scholarship opportunities.

Lack of financial resources also leads to limited opportunities for students. Pipeline cohorts are often smaller due to limited funding. Researchers found that many programs would gladly admit more students, thereby increasing the number of students of color in the pipeline to law school, if they had access to additional funds. One way to increase funding opportunities is to have measurable outcomes, thus tracking and assessment are critically important. Programs are doing themselves a disservice by failing to evaluate their outcomes as most funders are seeking measurable results.

There are great fluctuations between the offerings of various pipeline programs. Program administrators should be working towards developing a standardized curriculum. Part of the problem is there is limited research on what an effective standardized curriculum should include. However, to best serve the students, we need to ensure that certain basic elements of a program are being met, including meaningful LSAT preparation, law school admissions assistance, etc.

In the end, in order to truly learn about best practices, programs will have to invest in and conduct iterative assessments of their efforts. Ideally, this information will be shared publicly, helping to increase collective knowledge and foster broad impact. Therefore, evaluation and assessment should be central to pipeline program design and administration. For its part, AccessLex Institute will prioritize evaluation and assessment in its own pipeline research and the external research that it supports.

If you are a leader of a pipeline program serving college students and college graduates and would like to share information about your program with us, please contact us at Diversity@accesslex.org.

16 Law School Admission Council (2017). U.S. National Decision Profile. Retrieved from <https://www.lsac.org/data-research/data>

Corporate Office: 10 N. High Street, Suite 400
West Chester, PA 19380

Washington, D.C. Office: 440 First Street NW, Suite 550
Washington, D.C. 20001

AccessLex.org

AccessLex[®]

CENTER FOR LEGAL
EDUCATION EXCELLENCE[®]